

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

July 16, 2015



Rezoning case no. RZ 15-13: Dennis Thane

CASE DESCRIPTION: a request to change the zoning classification from Agricultural - Open District (A-O) to Retail District (C-2)

LOCATION: 10.58 acres of vacant land out of the Marie Kegan Survey, A-28, currently addressed as 10099 State Highway 30 and adjoining the northeast side of State Highway 30, approximately two-tenths of a mile southeast from its intersection with Elmo Weedon Road

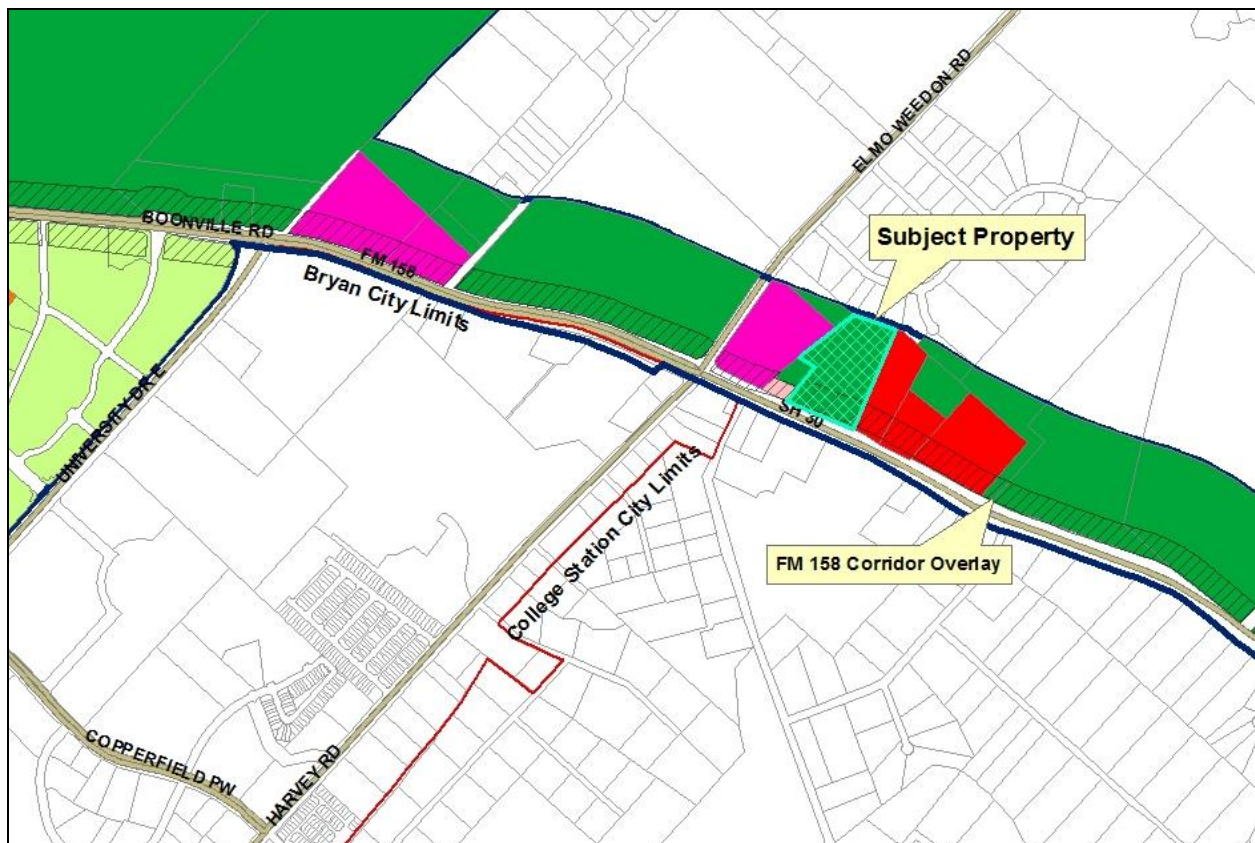
LEGAL DESCRIPTION: A002801, Maria Kegan (ICL), Tract 11, 10.58 Acres

EXISTING LAND USE: rural residential

APPLICANT(S): Mr. Cody Hall

STAFF CONTACT: Randy Haynes, Senior Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



AERIAL PHOTOGRAPH (2013):



BACKGROUND:

The subject property is 10.58 acres in size and is currently addressed as 10099 State Highway 30. The tract is located on the north side of State Highway 30, approximately two-tenths of a mile southeast from its intersection with Elmo Weedon Road. There exists two residential structures on the subject property which is zoned Agricultural-Open District (A-O). The adjacent property located directly east of the subject tract is zoned Retail District (C-2) and is undeveloped. The adjacent property directly to the west is zoned Commercial District (C-3) and is in use as a golf driving range. The land to the north is outside of Bryan's city limits and therefore not regulated by zoning, and is developed with single-family homes on 1+ acre lots in the Hunter's Creek Subdivision. 700 feet to the west, across Elmo Weedon Road, lies the 112-acre campus of the Central Baptist Church.

The subject property has been zoned A-O District since its annexation to the City of Bryan on July 27, 1999. The applicant, Mr. Cody Hall, proposes the change to retail zoning to accommodate development of new businesses at this highly visible location along a major entrance corridor into the City of Bryan. In 2014 the Planning and Zoning Commission recommended approval of a similar request on the 13-acre tract immediately west of the subject property (RZ14-11).

The A-O zoning district is intended to provide a location principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may become an urban area

in the future. State Highway 30 has been developing with several commercial businesses in both the City of Bryan and the City of College Station's extraterritorial jurisdiction, which adjoins the south side of Highway 30. The C-2 zoning classification is intended to provide opportunities for various types of general retail trade, business and service uses. The district allows shopping areas or uses which are generally compatible near or adjacent to, but not usually directly in, residential neighborhoods.

The subject property lies within the FM158 Corridor Overlay District, which imposes higher development standards such as 75% non-metallic structures, the screening of utility equipment and open storage is prohibited. The purpose of the district is to exercise greater control over the aesthetic and functional characteristics of development along thoroughfares which serve as major entrances to the community.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects. The plan identified a number of issues that have been, according to the committee members, an impediment to the healthy growth of the community. Among the goals supported by the policies are the development of attractive entrances and corridors and encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. One of the plan's objectives is to encourage a sustainable mix of land use types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning. The Comprehensive Plan also suggests that commercial uses are appropriate at points of high visibility along arterial and major collector streets and at intersection of major streets.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

The proposed change will allow retail development along a super arterial roadway, State Highway 30. Allowing C-2 zoning on the subject property will support orderly urban growth in this vicinity where neighboring properties are being developed or are currently developed with commercial and/or retail establishments. Staff believes that proposed C-2 zoning on these 10.58 acres is appropriate in this particular location and will offer the exposure which most retail trade requires.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

The subject property adjoins State Highway 30 which is classified on Bryan's Thoroughfare Plan as a super arterial roadway. This road can be expected to be capable of accommodating traffic loads typically associated with retail development on the subject property. Water services for any development at this location would be provided by the Wickson Creek Special Utility District. The subject property lies within College Station's sanitary sewer CCN (Certificate of Convenience and Necessity) area, and will be provided with sewer services by the

City of College Station under both the CCN and an inter-local agreement executed by the cities of Bryan and College Station on December 15, 2011

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that commercial developments are developing at a slow to average pace in this vicinity and elsewhere in the City.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar developments. Several vacant parcels are also available for future commercial development.

6. Any other factors affecting health, safety, morals, or general welfare.

In this case, staff believes that the requested rezoning to C-2 District should have no adverse effects on adjacent properties. Staff contends that allowing a retail development at this location will create an orderly zoning pattern and allow for a useful diversification in land use intensities and orderly urban development in this vicinity.

RECOMMENDATION:

Based on all these considerations, staff recommends **approving** the requested zone change to C-2 District on the subject property.